IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION CIVIL ACTION NO. 3:16-CV-813-DCK

CONDRA KAY WORLEY,)	
Plaintiff,)	
v.)	<u>ORDER</u>
NANCY A. BERRYHILL,)	
Acting Commissioner of Social Security,)	
Defendant.))	

THIS MATTER IS BEFORE THE COURT on Plaintiff's "Application/Motion For Attorney's Fees Under The Equal Access To Justice Act, 28 U.S.C. § 2412" (Document No. 31) filed June 1, 2018. The parties have consented to Magistrate Judge jurisdiction pursuant to 28 U.S.C. § 636(c), and this motion is ripe for review. Having carefully considered the motion and the record, and noting the consent of Defendant's counsel, the undersigned will grant the motion.

IT IS, THEREFORE, ORDERED that Plaintiff's "Application/Motion For Attorney's Fees Under The Equal Access To Justice Act, 28 U.S.C. § 2412" (Document No. 31) is GRANTED, and the United States Social Security Administration agrees to pay attorney fees in the amount of Six Thousand Seven Hundred Twenty Six Dollars (\$6.726.00), in full satisfaction of any and all attorney fee claims Plaintiff may have in this case under the Equal Access to Justice Act. Further, pursuant to the United States Supreme Court's ruling in Astrue v. Ratliff, 130 S. Ct. 2521 (2010), these attorney fees are payable to Plaintiff as the prevailing party and are subject to offset through the Treasury Department's Offset Program to satisfy any pre-existing debt Plaintiff may owe to the United States government. If, after the entry of this Order, the Commissioner determines that Plaintiff owes no debt to the United States that would subject this award of attorney

fees to offset, the Commissioner may honor the Plaintiff's assignment of EAJA fees providing for payment of the subject fees to Plaintiff's counsel, rather than to Plaintiff. If, however, the Commissioner discovers that Plaintiff owes the United States any debt subject to offset, the Commissioner will pay any attorney fees remaining after such offset to Plaintiff, rather than to counsel.

SO ORDERED.

Signed: June 4, 2018

David C. Keesler

United States Magistrate Judge